

**IN THE UNITED STATES DISTRICT
COURT FOR THE NORTHERN DISTRICT
OF OHIO EASTERN DIVISION**

**IN RE: NATIONAL PRESCRIPTION
OPIATE LITIGATION**

THIS DOCUMENT RELATES TO:
*Track Three Cases*¹

MDL NO. 2804

Civ. No. 1:17-md-02804-DAP
HON. JUDGE DAN A. POLSTER

**WALMART INC.'S MOTION TO FILE UNDER SEAL EXHIBIT TO OBJECTION TO
SPECIAL MASTER COHEN'S ORDER ON AGENDA ITEM 304 REGARDING
GEOGRAPHIC SCOPE (DKT. 3655)**

Pursuant to MDL CMO-2 (Doc No. 441), Walmart Inc. ("Walmart") respectfully moves this Court for leave to file under seal an exhibit to Walmart's Objection to Special Master Cohen Order on Agenda Item 304 Regarding Geographic Scope ("Walmart's Objection"), which is being filed concurrently herewith.

Specifically, Walmart seeks leave to seal Plaintiffs' January 29, 2021 letter brief to Special Master Cohen, which is Plaintiffs' submission to the Special Master underlying the order at issue in Walmart's Objection ("Plaintiffs' January Brief"). Plaintiffs' January Brief, which is Exhibit G to Walmart's Objection, purports to identify sensitive, personal information based on Plaintiffs' interpretation of the complaint filed by the U.S. Department of Justice in *United States v. Walmart, Inc. and Walmart Stores East LP*, Case No. 20-CV-1744 (D. Del.). Such information is not disclosed in that complaint, however, and it is Walmart's understanding that—consistent with the

¹ The Track Three Cases are: *County of Lake, Ohio v. Purdue Pharma, et al.*, Case No. 18-op-45032 and *County of Trumbull, Ohio v. Purdue Pharma, et al.*, Case No. 18-op-45079.

treatment by the Department of Justice—such information should not be disclosed publicly. Further, Plaintiffs’ January Brief includes screenshots and discussions of several documents that Walmart and other MDL parties have designated Confidential and Highly Confidential pursuant to MDL CMO-2.

Accordingly, Walmart requests that the Court grant permission for Walmart to file Plaintiffs’ January Brief (Exhibit G) entirely under seal.

Dated: March 24, 2021

Respectfully submitted,

/s/ Tara A. Fumerton

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CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that the foregoing document was served via the Court's ECF system to all counsel of record on March 24, 2021.

/s/ Tara A. Fumerton

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